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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/603,222	06/26/2000	Merel Epstein	EMR-100-A-1	3220

7590

09/12/2002

Arnold S Weintraub  
Plunkett & Cooney P C  
505 North Woodward  
Suite 3000  
Bloomfield Hills, MI 48304

EXAMINER

MOHANDESI, JILA M

ART UNIT

PAPER NUMBER

3728

DATE MAILED: 09/12/2002

#18

Please find below and/or attached an Office communication concerning this application or proceeding.

### EXAMINER'S COMMENTS

This is in response to the remand of April 29, 2002 (Paper No. 17) from the Board of Patent Appeals and Interferences (Board).

Applicant's paper filed on December 19, 2001 (Paper No. 15) was considered as a Reply Brief by the Board in their remand (Paper No. 17) and will be so considered by the examiner.

The remand specifically required the examiner to respond to three issues, and they are responded to, below, in the order as listed on the remand.

1. The Reply Brief (Paper No. 15) does not contain any amendments to the specification nor the claims. No new Appendix to the Appeal Brief filed October 19, 2001 (Paper No. 13 ½ ) is necessary.

2. The Reply Brief (Paper No. 15) has been entered and has now been considered a second time and is responded to as in the communication mailed on February 26, 2002 (Paper No. 16). The grouping of the claims does not affect or change the scope of the rejection under 35 U.S.C. 103.

3. Based on a careful review of applicant's explanation and clarification of the language used in the claims in paper No. 13, the rejection under 35 U.S.C.112, second paragraph was withdrawn.

This application has been forwarded to the Board of Patent Appeals and Interferences for decision on the appeal.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jila M Mohandesi whose telephone number is (703)305-7015. The examiner can normally be reached on Monday-Friday 7:30-4:00 (EST).

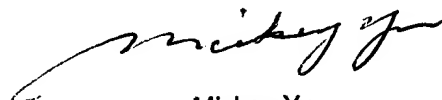
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mickey Yu can be reached on (703) 308-2672. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9302 for regular communications and (703) 872-9303 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1148.

Jila M Mohandesi  
Examiner  
Art Unit 3728

JMM  
August 23, 2002

A handwritten signature in black ink, appearing to read "Mickey Yu", with a long, sweeping underline.

Mickey Yu  
Supervisory Patent Examiner  
Group 3700